

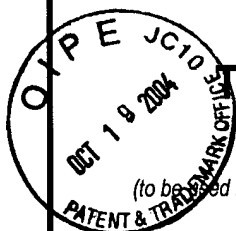
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PTO/SB/21 (6-99)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |    |                        |                  |
|--|----|------------------------|------------------|
| Application Number                       |    | 10/015,395             |                  |
| Filing Date                              |    | DECEMBER 12, 2001      |                  |
| First Named Inventor                     |    | KEVIN P. BAKER         |                  |
| Group/Art Unit                           |    | 1647                   |                  |
| Examiner Name                            |    | LANDSMAN, ROBERT S.    |                  |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | 39780-2830 P1C57 |

## ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> <b>AMENDMENT / RESPONSE (NON-COMPLIANT AMENDMENT)</b><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Version With Markings Showing Changes<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53<br><input type="checkbox"/> Copy of Notice | <input type="checkbox"/> Copy of an Assignment<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> <b>ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):</b><br><input checked="" type="checkbox"/> <b>STAMPED RETURN POSTCARD</b> |
| <div>Remarks</div> <p><b>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2830 P1C57.</b></p>   |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

|                         |  |                  |                                 |                           |
|-------------------------|--|------------------|---------------------------------|---------------------------|
| Firm or Individual name | HELLER EHRMAN WHITE & McCAULIFFE LLP               |                  | ANNA L. BARRY (Reg. No. 51,436) |                           |
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| Signature               |  |                  |                                 |                           |
| Date                    | OCTOBER 19, 2004                                   | Customer Number: | 35489                           |                           |

## CERTIFICATE OF EXPRESS MAILING

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| Typed or printed name | C. FONG |      |                  |
| Signature             |         | Date | OCTOBER 19, 2004 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Kevin P. BAKER, et al.

Application Serial No. 10/015,395

Filed: December 12, 2001

For: **SECRETED AND  
TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**

) Examiner: Landsman, Robert S.

) Art Unit: 1647

) Confirmation No: 9919

) Attorney's Docket No. 39780-2830 P1C57

) Customer No. 35489

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DATE MAILED: OCTOBER 19, 2004

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

The present Response in the above-identified patent application is filed in response to a Notice of Non-Compliant Amendment dated September 27, 2004, in which the Examiner noted that a complete listing of all claims were not present in our September 9, 2004 response to the Office Action dated March 17, 2004. In addition to listing all claims and their current status, Applicants corrected the presentation of the claims to meet the requirements as set forth in 37 C.F.R. §1.121. Applicants respectfully request entry of the pending claims and consideration of the comments in the previous Response filed on September 9, 2004.